	Application No.	Applicant(s)
	10/734,531	KHANDELWAL ET AL.
Notice of Allowability	Examiner	Art Unit
	Susan T. Tran	1615
The MAILING DATE of this communication appe All claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED ir or other appropriate commu GHTS. This application is s	n this application. If not included unication will be mailed in due course. THIS
1. This communication is responsive to <u>Amendment filed 05/17/04</u> .		
2. 🗵 The allowed claim(s) is/are <u>1 and 3</u> .		
3. The drawings filed on are accepted by the Examiner.		
 4. Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some* c) None of the: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)). * Certified copies not received: 		
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.		
5. A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.		
6. CORRECTED DRAWINGS (as "replacement sheets") must (a) including changes required by the Notice of Draftspers 1) hereto or 2) to Paper No./Mail Date (b) including changes required by the attached Examiner's Paper No./Mail Date Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the state of the property of the state of the property of	son's Patent Drawing Review s Amendment / Comment o .84(c)) should be written on t	r in the Office action of he drawings in the front (not the back) of
7. DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.		
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Attachment(s) 1. ☑ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/C Paper No./Mail Date	6. Interview S Paper No. 7. Examiner's	Informal Patent Application (PTO-152) ummary (PTO-413), /Mail Date 05/17/04 Amendment/Comment
4. Examiner's Comment Regarding Requirement for Deposit of Biological Material	8. ⊠ Examiners 9. ☐ Other	Statement of Reasons for Allowance
	 S	THURMAN K. PAGE UPERVISORY PATENT FRAMINER TECHNOLOGY CENTER 1600

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald Lucas on 05/17/04.

The application has been amended as follows:

Claim 1, line 4, amend the word "lined" with -- "coated" ---.

Claim 1, line 5, after the phrase "sugar based inert fiber matrix shell", insert the phrase --", wherein the inert fiber matrix comprises a mixture of hydroxy propyl methyl cellulose and excipient", and wherein the moisture barrier film comprises a mixture of shellac and ethyl cellulose"--.

Cancel claims 2, 4 and 5.

Claim 3, line 2, after the phrase "as claimed in claim 1, in which the", insert the phrase -- "sugar based"--.

Claim 3, line 2, after the phrase "fiber matrix", delete the phrase -- "for the"--.

Claim 3, line 3, delete the word -- "substantially"--.

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The following is an examiner's statement of reasons for allowance:

The reason for allowance of the claims is the incorporation of the specific materials for the inert fiber matrix (mixture of hydroxy propyl methyl cellulose and excipient), and for the moisture film barrier (mixture of shellac and ethyl cellulose). The cited prior arts do not teach alendronate sodium embedded in an inert matrix comprises mixture or HPMC and excipient; coated with a moisture film barrier comprises mixture of shellac and ethyl cellulose; and then coated with a sugar based inert fiber matrix shell.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Claims 1 and 3 are allowed.

Pertinent Arts

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bechard et al., Patel et al., Seth, Falshner-Barak et al., Cumming et al., Heimlich et al., and Lulla et al. are cited as being of interest for the teachings of composition comprising alendronate sodium in a matrix form.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan T. Tran whose telephone number is (571) 272-

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0606. The examiner can normally be reached on Monday through Thursday 6:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thurman K. Page can be reached on (571) 272-0602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Tran

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